

TWELFTH REPORT

OF THE

COMMISSIONERS OF FISHERIES

OF THE

STATE OF MAINE,

FOR THE YEAR

1878.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1878.





## REPORT.

---

*The Honorable the Governor and Executive Council:*

In accordance with the requirements of the statute, your Commissioners of Fisheries lay before you the report of their department for the past year. It has been signally marked by continued and increasing prosperity. The wide spread interest of the population has led to demands upon us for fish to stock exhausted waters, for fishways to open up rivers to the migratory fishes excluded by unwise legislation, that our slender appropriation has been entirely inadequate to meet. Had it not been for the unfortunate effect of certain obscurely worded statutes, that were hurried through the form of legislation without the members voting having time to become aware of their sinister bearing upon the interest of the State, we should have been able to report this as the most prosperous year since the establishment of the department of fisheries. Nothing but the vitality of the cause, and the interest and enthusiasm of the people, has enabled it to survive the tampering with those statutes that relate to the salmon fisheries of the State, and entirely in the interest of selfish poachers. That we may be more clearly understood, it will be well to remind you, that the last lingering hold of the salmon of New England, is now the two great rivers of Maine, the Penobscot and Kennebec. In the St. Croix and Denny's rivers they are still taken in considerable numbers, but the day of their utter extermination is not remote. The Penobscot river we will speak of, as it applies to all, and will serve to illustrate the points we wish to present to the attention of the legislature. The outrages attempted on the Penobscot are of so recent date, and of so bold and unprincipled a character,

as to best show the "animus" and character of those who have tinkered the salmon laws the last four or five years. The salmon fishery of the Penobscot is the most productive of our State. Two years since a dam was built entirely across the river at Treat's Falls, about a mile above the city of Bangor. Under provision of the law, a good and sufficient fishway was built by order of your Commissioners of Fisheries. The breadth of the river here is *nine hundred feet*. The passage, or gateway is *six feet!* An opening, a gateway of six feet through a fence of nine hundred feet in length, across a broad road which the salmon formerly traversed undisturbed. How would droves of cattle or sheep act when suddenly stopped upon an accustomed and hitherto unobstructed road, if in their bewilderment and fright, and vain endeavor to find a passage through, they were continually chased and harried by gangs of butchers? Do you see no reason why in all cases where the migratory fishes on their way from the ocean, where they pasture, feed, live, do you see no reason why when they assemble, frightened, bewildered, below this first great obstruction, this fence, when wildly seeking some current that will guide them by or through, and which is to be found only in this narrow gate of *six feet*, in place of their old broad path, do you see no reason why they should be left undisturbed? Do you see no reason why we Commissioners should have been allowed a law to guard and protect such points? We had one that would have met the requirements of the case, but these men saw and anticipated it, and it was emasculated to suit their wishes. We give you the law with the parts they inserted, in *italics*. Chap. 75, Sect. 21, 1878.

SEC. 21. The commissioners of fisheries may set apart, *with the consent of the owners or occupants thereof*, any waters for the purpose of cultivation of fish, and after notice published three weeks successively in some newspaper published in the county where such waters are located, no person shall take or kill any fish therein, under a penalty of not less than ten nor more one than hundred dollars, and a further penalty of one dollar for each fish so taken or killed.

Lands were leased by these men of riparian owners, below and on the same side of the river as the fishway; a fence was



built out into the river to intercept the current from the fishway gate, to prevent the fish from finding it; nets were strung across the river below the dam. Could a better trap, one more effective be invented to take every salmon, shad and alewife in the Penobscot river? Could a greater outrage and invasion of the rights of the inhabitants of the country drained by the waters of the upper Penobscot and its tributaries, have been devised? We here append some specimens of their emasculated laws, prepared for the robbery of the State. We *italicise* the interlopated and altered parts, and you will compare them with the sections of the statutes for the protection of the inland fishes, that you may mark the distinction and see their work, and where they were interested. First—

SEC. 9. No salmon, shad, or other migratory fish, *except alewives*, shall be taken within *two hundred* yards of any fishway, dam or mill-race, between the first day of April and the first day of November, in each year, except by the ordinary mode of angling with single hook and line, or artificial flies; nor shall hook and line or artificial flies be used at any time within one hundred yards of any fishway, dam or mill-race. The penalty for violation of this section shall be a fine of not more than fifty nor less than ten dollars for each *offense*, and a further fine of ten dollars for each salmon, one dollar for each shad *so taken*.

SEC. 10. There shall be a close-time for salmon from the fifteenth day of July of each year to the first day of April following, during which no salmon shall be taken or killed in any manner, under a penalty of not more than fifty nor less than ten dollars, and a further penalty of ten dollars for each salmon *so taken or killed*.

No penalty here for the *attempt*, no penalty for *fishing for*. The laws of 1876 allow fishing for salmon in the Penobscot river above the railroad bridge between Bangor and Brewer, three days in each week, from April 1st until July 15th. The laws of the State allowed no fishing within five hundred yards of any dam, race-way or fishway. Now read the above attentively. You may fish *all the time* for *alewives*, and you may fish for those where you please, close to the gate of the fishway, and at all times from April 1st until November, and prevent a single salmon getting through the fishway or above the dam. Even if caught with salmon nets



in the water, or in the boat wet, with evidence of having been used, there is no remedy against the criminal unless salmon are found in his possession, and they always prefer to throw them overboard, or passing them to a confederate swift with paddle, boat and foot, they are spirited away. Now observe Section 14 for the protection of trout or other inland fishes. Mark the words we have *italicised*. See how carefully the words *or fished for* have been stricken out of the salmon law :

SEC. 14. No person shall at any time catch, take, kill, *or fish for* any land-locked salmon, trout, togue, black bass, Oswego bass, or white perch, by means of any grapnel, spear, trawl, weir, net, seine, trap, spoon, set line, or with any device or in any other way than by the ordinary mode of angling with a single baited hook and line, or with artificial flies, under a penalty of not less than ten nor more than thirty dollars *for each offense, and a further fine* of one dollar for *each fish so caught, taken or killed*. And all set lines, grapnels, spears, trawls, weirs, nets, seines, traps, spoons, and devices other than fair angling as aforesaid, are hereby prohibited on the fresh water lakes, ponds and streams of this state; and when found in use or operation on said lakes, ponds or streams, they are hereby declared forfeit and contraband, and any person finding them in use in said waters is hereby authorized to destroy the same.

SEC. 15. No person shall take, catch, *kill or fish for in any manner*, any land-locked salmon, trout or togue, in any of the waters aforesaid, between said twenty-first day of September and the first day of May following, except as provided in section thirteen of this act, or black bass, Oswego bass, or white perch, between the first day of April and first day of July following, *under a penalty* of not less than ten dollars nor more than thirty dollars, and a *further fine* of one dollar for each fish thus *caught, taken, or killed*, as aforesaid.

We need a stringent law that there shall be no fishing of any kind whatever excepting with single baited hook and line or fly hooks, between the Water Works Dam at Treat's Falls on the Penobscot river at Bangor, and the toll bridge, and a similar law for the Kennebec river at Augusta. No fishing should be allowed with hook and line within one hundred yards of any dam, and the former distance of five hundred yards should be restored to the State law.

Fortunately for us and the interests of the State, the Police Judge of the city of Bangor, decided in some cases that we brought before him, that from an error in the laws of 1878, the laws of 1876 were still in force. And yet, with the decis-



ion of the court in our favor, so determined were these men, that it required the continued vigilance of the wardens and a special policeman provided us by the thoughtful kindness of Mayor Hamlin and the City Government, to prevent the capture of every salmon that ascended the river as far as the dam at the falls. Without the aid and sympathy of our citizens, we could not have saved our salmon fishery from almost annihilation, so carefully organized were the arrangements of these fishermen on their *leased* shores, to prevent a single salmon from passing above the dam. Indeed, but very few fish ascended the Penobscot before the 15th of July, so systematic were the efforts of their enemies. The number taken up to the latter date above the dam, were hardly worth the time consumed in fishing for them.

The salmon, as far as has been observed, usually ascend their favorite spawning rivers in three great runs. The first is of the largest and strongest fish, that were born at the highest and most remote fastnesses of the river, over falls and rocks which are practicable only in the floods of spring. The next is a mixed run of large and small fish. The third is also a mixed run, and contains many grilse, or small salmon, on their first return from the ocean. These fish distribute themselves on their respective spawning beds in the order of their runs. The first spring fish spawn earliest at the heights of the river; the last at points nearer, even between the Water Works Dam and Oldtown. The usual average number of eggs from either trout or salmon, is about 600 eggs to the pound of fish. A ten pound salmon would yield about 6,000 eggs; a one pound trout about 600. But of all these eggs deposited on their spawning beds in their natural wild state by the parent fish, but 8 per cent. are fertilized and can produce young fish. Judge yourselves how many of these escape the casualties of flood and natural enemies. By artificial process, we hatch 90 out of 100 eggs. When the young fish are hatched, they are fast anchored to the yolk-sac, which is their nourishment by absorption for about thirty days of helplessness. At the end of that time, they can swim away



and shift for and protect themselves. Until that period we keep them housed and safe. The results of our salmon planting have been most satisfactory as exhibited on the Penobscot, Androscoggin, St. Croix and Medomac. On the Penobscot the yield has been very large. Perhaps no better summary can be given than the paragraph we here quote from the "Bangor Commercial":

"The salmon fishers must now cease their fishing, as the close-time for this season commenced to-day. The run has in the main been quite large. There was a time early in the season when they reached the remarkably low price of eight cents a pound, at Bucksport, but as a rule the prices have been good. A good deal of money is brought to the Penobscot valley by this important industry."—*July 15.*

Since July the number of salmon on the East and West Branches has been reported to us as very large by the river drivers. Parties of excursionists have likewise represented young salmon as being very numerous, and annoying much by their numbers, and rising to their flies when fishing for trout. On the St. Croix the yield was large for that river. It may be remembered, that in 1873 we transported 10,000 salmon fry to Vanceboro', which we turned into the St. Croix at that place. In 1874, 50,000 salmon ova were hatched for us in the hatching house of the Dobsis Club, and turned into the St. Croix tributaries. We think the inference is fairly deduced, that these contributions have materially added to the stock of the river. On the Androscoggin, a good many salmon have been taken the last two or three years. Mr. Ambrose T. Storer, the fish warden at Brunswick, writes under date of August 25, 1878: "I have tried to ascertain the number of salmon caught on the Kennebec but was unable to learn the exact number, but think it larger than usual. Mr. Trott caught seven in one day. I don't know how many have been caught in the small rivers tributary to the Androscoggin, but on this river the number caught by our fishermen was fourteen, which is more than has been caught before for some years. I have been hoping to see the fishway completed." Another gentleman writes: "Brunswick, July 6th, 1878. I have the pleasure of informing you that a fine large



salmon has been the admiration of many of our citizens, playing around above the falls near the short bridge. He was so tame that some one undertook to catch him by a spear or hook, and by that means wounded him, so that he was this morning found dead—of course no one knows who did it, but it was learned with manifold regret; though his existence establishes the fact that we have young salmon in our river. Now, if we had good fishways in good condition, on our falls, there is no doubt but that we would have a plenty of these beautiful fish in our river." Still another, under date of July, 1878, says: "Can anything be done by us to enable you to have our fishways made more practicable?"

On the Medomac, "large salmon have been seen jumping in the basin, above the dam, where such a sight has not been witnessed before for forty years!"

Numerous applications have been made to us for salmon fry, but we have been unable to procure them for the last three years. Were the product of our salmon rivers equal to that of the early days of the first settlement of the State, it would not be equal to the demand made upon it by an increased local population, and an increased number of consumers, the result of increased facilities of preserving and transporting. So important do we deem this interest to the State of Maine, that we would commend to the attention of our Legislature the feasibility of taking yearly a sufficient number of salmon eggs at Bucksport to annually put into the Penobscot, Kennebec, and all such rivers of Maine as are furnished with good and sufficient fishways, at least 200,000 young fry. The Bucksport works we have never been able to operate excepting when assisted by the larger means and resources of our sister States, and Professor Baird the U. S. Commissioner. At such times we have always been aided largely by a free gift of many thousands from the share of the latter. Small, cheap hatching houses could be constructed at an expense not exceeding \$150 each, at Rangley, on the Androscoggin, at Moosehead on the Kennebec, at



North Twin Dam, and at Eaton for the Penobscot, and at Grand Lake Stream for the St. Croix.

There is a period in the history of every article of food that supplies the wants and necessities of civilization, when the rude natural production was equal to the wants of man. When an increased population required an increased and certain and reliable supply beyond the casualties of chance and the elements, then science came to our aid and adopted it as a crop for cultivation. All our grains, our fruits, our flesh supplies, have been thus attained. Ages since fish became a food crop for cultivation with the Chinese nation; 1878 requires the same in Maine.

#### INLAND FISHERIES.

No one interest now brings so large an amount of money into our State, disseminates so large an amount so widely and evenly among so large a number, gives so large a cash return to the State for so small an outlay, as our inland fisheries. The lakes and streams of Maine are now an important feature on all our great lines of travel through the country, and are carefully pointed out as an attraction in favor of routes by rail, or stage or steamer. Should not this interest be protected by intelligent legislation, fostered by careful nursing and judicious outlay? Hatching houses at those points we have designated, as required for the support of our salmon fishery, should every year be filled with the eggs of trout from our best ponds and streams, and hatched for the supply of their respective waters. The visiting sportsmen at Moosehead and Rangely have all expressed themselves as more than willing to aid by contribution. The product of our lakes can be more than quadrupled by careful and judicious stocking. We have hitherto called attention to the "Salmo Oquassa" or blue-back trout of our State, as a very important food fish for increasing the resources of feed to trout and land-locked salmon. We are much gratified in noting the emphasis given to this suggestion, and the importance of insuring food supply by insects and plants, in the last and



very valuable report of the New York Commissioners of Fisheries. We can do no better than to quote a passage :

“To have a full supply of fish there must be plenty of fish food, and in these mountain streams, although the trout were once numerous, they were never large. It has been said that the size of trout depends upon the extent of the range of water to which they have access, but large streams or lakes only imply unlimited food, and it would be more correct to say that the size to which trout will grow is regulated, within certain limits, by the quantity of food they can obtain. The largest trout in the world are found in the lakes of Maine, bodies of water by no means as large as Lake Superior and some of the trout lakes of Canada and the north ; but in the lakes of Maine are found the blue-backed trout, *Salmo Oquossa*, a species which only obtains a limited size and which furnishes food in abundance for the ordinary trout throughout the entire year. Without this resource, the trout of Maine would be no larger than the trout of the Adirondacks in this State ; instead of weighing ten or twelve pounds, they would never come to weigh more than five each. And with this resource, the trout of New York would be as large as those of Maine.”

The blue-back trout cannot be too highly rated as a food supply for other fish, but we wish at the same time to assert that we believe size is as dependent on variety as on quantity. All the lakes of Maine have a stock of small fishes peculiar to them. The Rangely lakes have the “*Salmo Oquossa*,” the small red fin, and several varieties of the “*Cyprinidæ*.” Very many of the other large lakes have the smelt and white fish. The land-locked salmon of Sebago Lake is as marked by contrast of its huge size to the same species in other lakes of the State, as is the Rangely trout, while Sebago is as noted for the quantity and quality of its smelts. In the Rangely lakes the trout is the dominant fish. There are no togue, no cusk, none of the perch tribe. May this have aught to do with their large development? We have presented these items of observation as they occurred to us within a few days while securing trout eggs to be used on those waters, and for distribution in other parts of our State. We give a list of the trout taken at Rangely while we were collecting spawn, with the average weight, deeming that it may prove of interest to Ichthyologists as well as anglers.

# MEMORANDUM OF TROUT TAKEN AT OUTLET OF RANGELY LAKE.

1878.

October 2,	11 trout,	(average 4 3-4 pounds)	largest 10	pounds.
" 3,	4 "	" 5 1-2 "	" 7 1-2 "	
" 4,	12 "	" 5 "	" 8 "	
" 5,	17 "	" 4 1-2 "	" 9 "	
" 7,	10 "	" 3 "	" 7 "	
" 8,	4 "	" 5 3-4 "	" 9 "	
" 9,	5 "	" 5 "	" 8 "	

# TROUT TAKEN AT UPPER DAM OUTLET OF MOOSLUCMEGUNTIC LAKE.

September 22,	11 in car,	average 3 1-2 pounds.	largest 7	pounds.
" 23,	5 trout,	" 3 1-2 "	" 6 "	
" 24,	3 "	" 4 1-2 "	" 5 1-2 "	
" 25,	5 "	" 3 3-4 "	" 4 1-2 "	
" 26,	13 "	" 5 1-2 "	" 6 "	
" 27,	3 "	" 4 3-4 "	" 7 "	
" 28,	9 "	" 5 "	" 5 3-4 "	
" 30,	9 "	" 3 "	" 6 "	
October 1,	5 "	" 3 "	" 1 of 10 lbs., 1 of 8, 2 of 7, 2 of 6, 1 of 3 lbs.	
" 2,	7 "	" 4 1-2 lbs.	" 9 1-2 "	
" 3,	6 "	" 4 1-4 "	" 8 "	
" 5,	7 "	" 6 "		
" 7,	6 "			
" 10,	6 "			

In the above memorandum we did not take into account any of less than two pounds each, of which we took quite a large number.

Three eels which had forced themselves through a leak in the gate of the upper dam, were killed by the weight of water driving them between the logs of which the apron of the dam is built. These eels were weighed by Thomas McCord, a strictly reliable man; their weights were respectively  $8\frac{1}{2}$ ,  $11\frac{1}{2}$  and  $13\frac{3}{4}$  pounds. Are such weights ever known but in the huge Conger eel caught off the coast of England and Brittany? Shall we attribute such weights to quantity, quality, variety, water, or—? Moosehead contains many competing voracious fishes. The brook trout is not there the dominant fish. The togue, one of the most worthless and



gluttonous of fishes, not even excepting the pickerel, attains to the great weight of thirty pounds. The cusk is also large and abundant. The brook trout there rarely exceeds five pounds in weight. Moosehead, that divides with Rangely the favor of the anglers of the United States, has produced a prodigious amount of fish. The guides, the whole population about the Rangely lakes, have long realized the value of their fishery, and have taken better care of it. Moosehead has been fished in autumn on the spawning beds; in winter through the ice; in spring, and at all times with hook and line and net and spear and grapnel. The guides fish for market through the ice, every way and at all times. They leave the service of the angler, and at once go to work to destroy the very fish that give them their most remunerative employment. There is no fish warden there, for no one dare take the office and fulfil its requirements. Will not our railroad men, our stage men, our expressmen, our hotel keepers unite with us in protecting this great State interest? Our cotemporaries of New Hampshire so well express our views of the class of persons who are destroying a great and remunerative resource of our State, that we quote from them:

"We have among us, in every town and village, a class of worthless 'ne'er-do-weels,' with few wants and no responsibilities, content if they can secure their rum and tobacco, who infest our forests and streams, killing every living thing they can, provided it will fetch a price in the market, no matter if it be a trout shedding its spawn or a woodcock hatching its eggs. Fines are useless as penalties against their offences, and we have therefore reported to the commission in charge of the revision of the statutes an amended game-law, in which imprisonment is allowed to be substituted for fines in such cases as may be needed to reach these cowardly poachers and keep them out of mischief for a season."

Moosehead should be stocked with blue-back trout, and every year at least half a million eggs of her brook trout should be hatched and turned into her waters. The land-locked salmon should be introduced into her waters; and above all, a most rigid code of laws for the protection of the game and fish of the State, should be passed by the Legislature, and enforced by efficient wardens. Every man interested in our



railroads, or stages, or hotels, or stores, should be a volunteer policeman, for they would be but protecting themselves from robbery,—for has it not become a great State interest? Are not all our industries benefited by it? We do not believe that one of our visiting sportsmen takes a pound of trout at a less cost than five dollars. They now bring their wives and families with them. Is not the moral influence better than that of Saratoga? The social value to us, is not that worthy a thought? Is not the denizen of the city improved socially as well as the country resident?

#### LAND-LOCKED SALMON.

We have heretofore called attention to the superior size and flavor of the land-locked salmon of Sebago lake, and expressed our desire to be able to stock as many as possible of our large inland lakes with this superb fish. We have this year induced Prof. Baird to join us in establishing works for taking spawn of these fish on Songo river. Mr. Atkins, who superintends the Works at Grand lake stream, has been placed in charge at Songo Lock, likewise. Prof. Baird has added \$1,000 to our meagre \$200. There has been such excellent angling on Sebago lake for the salmon this year, and there was such an evident improvement in the expressed feeling of the people of the locality, that we were much disappointed in having a valuable net cut and injured by some roughs at night. The grievance appeared to be that the fish were prevented ascending to their old spawning ground, where they were most convenient to be *spear*ed. As the boatmen can realize better wages in the employ of the anglers, than by spearing the fish, we were somewhat surprised at their blind brutality. In the natural method of spawning by the fish, but one-eighth of the eggs are fertilized by the male; by that one-eighth, the risk of being devoured by eels or suckers or other fish, must be encountered. In all our operations we hatch and turn back into the waters whence taken, 25 per cent. of the young fish hatched from the eggs, when the young fish are old enough to take care of



themselves, which is in about thirty days after being hatched. We average in our hatching about 90 out of 100. We have distributed from Grand lake this last year, in different sections of our State 100,000 fry. Of these, 70,000 were a gift from the United States' Commissioner, Prof. Baird, and were placed as follows: 40,000 were kindly taken charge of by J. Cooledge Coffin, Esq., of Pembroke, to be hatched and distributed in the Penmaquan, and tributaries; 20,000 to Dr. Innis of Houlton, for the waters in that vicinity, and 10,000 to Mr. Neil of Calais. We made a purchase of 30,000 from our own resources, from the Dobsis Club, through Hon. Harvey Jewell. Those were hatched at Bucksport under the skilful hand of Alfred Swasey, Esq., and were sent 5,000 to Newport pond, 5,000 to Dexter pond, 5,000 to Belgrade pond, 5,000 to Silver lake, Augusta, 5,000 to Cobbosseecontee pond, 5,000 to Cold Spring pond, Enfield, and 5,000 to a pond in Lincoln.

#### SALMO OQUOSSA OR BLUE-BACK TROUT.

These fish are quite small in size, usually averaging about four to five to the pound. Very similar in appearance to the ordinary brook trout, but deficient in the red spot; tail forked, and the back of the fish blueish in caste, hence the name. Haunt the deep water in ponds, where they may be freely taken in summer with a baited hook, and deep sinking, say forty feet. Rarely seen, excepting the last of October, when they come up into the brooks to spawn, on the same ground as the trout, and in immense numbers. Are much esteemed as a fine pan fish. We distributed a few thousands this year, as follows: 5,000 in Dexter pond, 5,000 in Worthly pond, Peru, 10,000 in Weld pond, 10,000 in Cobbosseecontee pond, 10,000 in Thompson's pond, Oxford.

#### BLACK BASS.

There has been a wide call for black bass from all parts of the State, mostly to stock ponds where the net and spear and grapple of the slouch, and the gluttony of his more



respectable brother, the pickerel, had left nothing but breme and yellow perch. Some forty ponds and streams were supplied in different sections. We were obliged to close our operations in distributing bass, not from having filled all our orders, but from want of funds. We hope next year to so far stock depleted waters appropriate for this fish in the State, as to be able to leave the rest to the voluntary action of the people. There is excellent bass fishing at Phillips pond in Dedham, Cobbosseecontee pond, near Hallowell, on the Maine Central, Falmouth pond, near Portland, &c., &c., all accessible by railroad and stage, where families who do not like the crowd and expense of the more fashionable resorts of Rangely, Moosehead and Grand Lake, can find good hotels or private board at reasonable prices, and good safe boats.

#### ALEWIVES.

Prof. Baird speaks of our alewife as "in many respects superior to the sea herring as an article of food; is, if anything, more valuable for export." It is strictly the people's fish. There seems to be a craving among all classes for fish food, and the prices at present do not always place it within their reach. There is an increased demand from the country, from the fact that their supply has been destroyed by the erection of dams, and the shutting out of the migratory fish from the breeding grounds. Of course all the people must now seek their supply from the cities, while they once had it at their doors.

We look upon it as very important as a State measure for the benefit of the people, that the alewife should be at as early a date as possible restored to all our rivers. The alewife can be most cheaply raised; all that it requires is access to some pond to deposit its eggs; as these latter are about 100,000 to a fish, it may be inferred they breed very rapidly. The erection of mills on all our little tributary brooks has materially reduced our supply. Indeed, our milling furore and hasty legislation has increased the demand and lessened



the supply. One could almost walk on the backs of alewives planted a few years since in Hermon pond, and now yearly trying to get by the mill-dam at Hampden to find their way back again to the place where they were born. We transported seventy alewives in cans from Bucksport to Enfield, part way by wagon and the rest by railroad, on the 17th of May. The 10th of September, the first school of young fry were seen on their way down to the Penobscot; two other schools followed at intervals of a few days. These fish, it is estimated, will make their first return from the ocean in two years. That we may have a continuous yearly crop, it will be necessary to transport an equal number of spawning fish to the same pond at Enfield next year. We also conveyed a few alewives to the mill pond at Merrill's mills, on the Kenduskeag. Of these we have as yet heard nothing, although, doubtless, most of the fry have e'er this found their way down to old ocean.

#### PROPOSED LEGISLATION.

We have before stated, that it is not the fish and game of the State that is killed to be eaten by the party killing, that lessens the stock of our forests and streams. It is what is killed for transportation and market. It seems a great wrong, an outrage upon the rights of our citizens, our tax payers, that so important an interest should be sacrificed to a class of men without whom, if they could be taken out and killed as so many thieving cats, the State would be the richer. The Commission appointed by the Governor last year, under the law provided for that purpose, sought to remedy one branch of the evil by forbidding fishing through the ice. There is a large and respectable class of our citizens who would as soon let their notes go to protest as to kill a fish out of season, or offer a fish or bird for sale, or break a law of the State. They are men of honor in every sense, although not all experts in fly fishing. They fish in winter because they have no other leisure time to fish. To forbid winter fishing would be to cut

them off entirely from their share of a sport they pay their full portion in fostering and protecting. But we deny that winter fishing is the source of the evil. The fish in winter have spawned. One fish killed in October causes more destruction than a hundred taken through the ice. If we could prevent a crop, of which each citizen of the State owns a share, being gathered and sold by greedy monopolists, we should at once check the evil.

It really does seem as if property that belongs equally to a whole people, might be so controlled by our Legislature that each citizen might be protected in the enjoyment of his share or portion, and no one be allowed to take any more from wood or stream than they need for their own consumption. Our alewife fisheries are so controlled, we are informed, in some communities. May we not so control the forests and streams of our State for the use of our own citizens or the State's guests? They yield a better return, with less cultivation, than our fields. The crop trespasses upon no value of the one or the other.

We have spoken of the great value to our State of our inland fisheries. While we are averse to constant yearly tinkering of our laws, we think they should be made simpler and more readily remembered and understood. Let the law of close-time for land-locked salmon, trout and togue, be from the first day of October until the first day of February, or even March, as until then the days are short and cold, and the people are reasonable and will obey any *fair, impartial, just* law. Let the punishment for using set lines, grapnels, nets, weirs, traps, or any device other than fair angling with single baited hook and line, or fly hooks, be not only a fine and imprisonment, but imprisonment to *hard labor*, and imprisonment also of one day for each dollar of fine unpaid. Let there be forfeiture of all implements, boats, &c., used in illegal fishing, upon satisfactory proof before the nearest magistrate that they were so used. In all our game and fishing laws, let the *attempt* to commit the offence be punished.



The laws for the protection of a great interest that costs the State so little, and yields so much to all our routes of travel, and our hotels, and country villages, cannot be too stringent, particularly where the classes that break them are our worst citizens, and pay nothing to the support of the State.

The porgie question was discussed last winter in our legislature so exhaustively, that no word is needed from us. The experience of the last year has but added to the reasons for the necessity of the law passed to go into operation this coming year. Fleets of steamers have swept our coasts, bays, harbors and rivers this year, with all the care of a frugal housewife skimming the cream of her dairy. We fear the continued harrying, straining, leeching of our waters with nets, has been as destructive to our fisheries as a regiment of children tramping a favorite mowing lot in search of wild strawberries, is to the farmer's best bit of grass. It has been demonstrated to you in the past, from the lucid pen of Prof. Baird, how the immense columns of young fish bred in our rivers before the time of mill dams and other obstructions, in their migration down to the ocean, attracted the sea fishes to our shores. How the sea fishes were then taken within sight of the fisherman's home, while now they must be sought far away. The porgie fishery, as it is now pursued, with fleets of steamers controlled by large capital, is adding the last grain of sand to the load that is breaking the poor fisherman's back. The porgies are needed for bait. Money is power; capital needs no more legislative protection. Give a fair chance to our little home industries. Let us sustain our porgie law, and if possible strengthen it.

We hope the Legislature will authorize us to take a sufficient number of salmon eggs at Bucksport this coming year to supply and restock the several most prominent salmon rivers of our State. The California salmon eggs are furnished to the States by the U. S. Commission at simply the cost of transportation and packing; but owing to the difference of seasons between the Pacific and Maine, they are not available



to us, the young fry being ready for distribution from our hatching houses not until our lakes and rivers are fast locked in the thick ice of January. Our sister States mostly, owing to the gratuitous supply of the California salmon, no longer co-operate with us, and we must work alone. We think \$2,000 would enable us to obtain a sufficient supply for the Penobscot, Kennebec, Medomac, Androscoggin, Saco, &c. We purchase the live fish from the fishermen at the market rate per pound; we do not kill our fish as do other purchasers who buy to eat. After we have taken the eggs from the fish we purchase, we turn them back again into the river; both the State and the river from whence the fish were taken are benefited by our work. We propose hatching houses to be built at Moosehead, at Rangely, and at other prominent points on the rivers to be stocked, as we have before suggested. Salmon eggs, when ready for transportation, could be conveyed to each of those places to be hatched and turned into their respective rivers. These houses would likewise be supplied by private subscription with trout eggs to be hatched for the respective ponds also. These lakes or ponds, where we propose to erect hatching houses, are all at the sources of the rivers to be stocked. What crop now in our State yields as good a return for so little outlay as our fish? Do we not always meet the demand for our potatoes, our wheat, or other products, by the supply? Can we not meet the demand for our fish by an increased supply? Salmon to be sold at home or abroad, must be represented, truthfully or not, as *Penobscot* or *Kennebec*. We do not believe a finer flavored fish exists in the world than our Maine salmon. Can there be no way devised by our Legislature to protect our fisheries?

A more stringent law is required against netting in our inland waters. The black bass in Newport pond were exterminated by the nets of poachers; as we have restocked that and other of our beautiful lakes with bass, the utmost vigilance is required to protect them. Large numbers of



white perch, illegally captured, and during close-time likewise, are brought from Stetson and other back towns by stage drivers, and forwarded by railroad from Burnham, Etna, &c., to market. It will have a healthy influence to hold the carriers responsible. The Kennebec Association for Protection of Fish and Game are doing a great and good work, and have rendered us much valuable assistance in suppressing illegal fishing. We are much indebted to Mr. George Simonds, proprietor of the North Pond house, Smithfield, for seizing three large nets found set in North pond. This is aid from the right quarter. Let us hear something of the same kind from Moosehead and Grand Lake and Katahdin Iron Works and Rangely and Sebago. Trout are slaughtered on the spawning bed at Jackson brook, Patten, &c., but they do not yield a profitable return when sent within the territory of the Massachusetts Anglers' Association. Hermon pond, stocked only two years since with black bass, is now infested by poachers netting the fish. The State cannot afford to stock these ponds unless the people are sufficiently interested to look after them and bring the thieving miscreants to justice. A law has been passed by the Province of New Brunswick requiring all non-residents hunting, shooting or trapping within her borders, to pay twenty dollars for a license. A law of the same tenor will be required in Maine or we shall be overrun with sporting tramps. Hunting and fishing seem to be almost indissolubly connected, inasmuch as hunters destroy our fish largely both for their own and their dogs' food. To require a twenty dollar license would be some protection to us; and as we are subjected to the expense of protecting the game by our laws and legislation, and it is fed and grown on our lands, it would seem but just and fair. A man who will kill game out of season will be guilty of the same with fish. No gentleman will ever break the laws of a State in which he is a visitor or guest. Deer were hunted last season at Rangely lakes during close-time; one deer has been reported to us as killed. All true sports-

men would send any man to coventry who would so far outrage the hospitality of a State as to even attempt to break its laws.

Respectfully submitted.

E. M. STILWELL,  
HENRY O. STANLEY.



## COMMISSIONERS OF FISHERIES.

*United States.*

Prof. Spencer F. Baird.....Washington, D. C.

*Alabama.*

Charles S. G. Doster.....Montgomery.  
Robert Tyler.....Montgomery.  
D. R. Hundley.....Courtland.

*Arkansas.*

N. H. Fish.....Pine Bluff.  
J. R. Steelman.....Little Rock.  
N. B. Pearce.....Fayetteville.

*California.*

B. B. Redding.....Sacramento.  
S. R. Throckmorton.....San Francisco.  
J. D. Farwell.....San Francisco.

*Colorado.*

Wilson E. Sisty.....Brookvale.

*Connecticut.*

William M. Hudson.....Hartford.  
Robert G. Pike.....Middletown.  
James A. Bill.....Lyme.

*Georgia.*

Thomas P. James.....Atlanta.

Duties embracing the work of the fish interest assigned to Commissioner of Agriculture.

*Illinois.*

W. A. Pratt.....Elgin.

*Iowa.*

Samuel B. Evans.....Ottumwa.  
B. F. Shaw.....Anamora.  
Charles A. Haynes.....Waterloo.

*Kentucky.*

Park Thomas .....	Louisville.
P. H. Darsey .....	Caldwell county.
Polk Laffom .....	Hopkins county.
S. W. Coombs .....	Warren county.
C. J. Walton.....	Hart county.
James P. Casey .....	Kenton county.
John A. Steele.....	Woodford county.
I. H. Bruce.....	Garrard county.
T. T. Garrard.....	Clay county.
W. C. Allen .....	Bath county.

*Maine.*

E. M. Stilwell.....	Bangor.
Henry O. Stanley.....	Dixfield.

*Maryland.*

T. B. Ferguson.....	Baltimore.
T. W. Downs.....	Denton.

*Massachusetts.*

Theodore Lyman .....	Brookline.
E. A. Brackett.....	Winchester.
Asa French .....	South Braintree.

*Michigan.*

George Clark .....	Ecorse.
A. J. Kellogg.....	Allegan.
E. R. Miller .....	Richland.
George H. Jerome, superintendent.....	Niles.
H. H. Porter, sup't state hatching house..	Pokagon.

*Minnesota.*

R. O. Sweeney .....	St. Paul.
A. W. Latham.....	Excelsior.
Horace Austin.....	St. Paul.

*New Hampshire.*

Samuel Webber .....	Manchester.
Luther Hayes.....	Milton.
Albina H. Powers.....	Grantham.



*New Jersey.*

B. P. Howell.....	Woodbury.
J. R. Shortwell.....	Rahway.
G. A. Anderson.....	Trenton.

*New York.*

Horatio Seymour .....	Utica.
Robert B. Roosevelt.....	New York City.
Edward M. Smith.....	Rochester.
Seth Green, superintendent .....	Rochester.

*North Carolina.*

Gov. Z. B. Vance.....	Raleigh.
Prof. W. C. Kew.....	Raleigh.
Prest. R. P. Battle.....	Chapel Hill.
Col. S. M. Holt .....	Haw River.
Capt. S. B. Alexander.....	Charlotte.
Maj. Jonathan Evans.....	Fayetteville.
Capt. J. R. Trispan.....	Tarboro.

*Nevada.*

H. G. Parker .....	
--------------------	--

*Ohio.*

John C. Fisher.....	Coshocton.
John H. Klippart.....	Columbus.
Robert Cummings .....	Toledo.
E. D. Potter, superintendent.....	Toledo.

*Pennsylvania.*

H. J. Reeder.....	Easton.
B. L. Hewitt.....	Hollidaysburg.
James Duffy.....	Marietta.

*Rhode Island.*

Newton Dexter .....	Providence.
Alfred A. Reed, Jr .....	Providence.
John H. Barden.....	Scituate.

*Utah Territory.*

A. P. Rockwood.....	Salt Lake City.
Superintendent of Fisheries, Zion's Co-operative Society.	

*Vermont.*

M. Goldsmith.....	Rutland.
Charles Barrett.....	Grafton.

*Virginia.*

Col. Marshall McDonald.....	Lexington.
-----------------------------	------------

*West Virginia.*

Henry B. Miller.....	Wheeling.
C. S. White.....	Romney.
I. W. Harris.....	Lewisburg.

*Wisconsin.*

Gov. Harrison Luddington.....	Milwaukee.
William Welch.....	Madison.
A. Palmer.....	Boscobel.
P. R. Hoy.....	Racine.
H. F. Dousman.....	Waterville.

*Dominion of Canada.*

W. F. Whitcher.....	Ottawa.
Commissioner of Fisheries.	

W. H. Venning .....	St. John, N. B.
Inspector of Fisheries for New Brunswick.	

W. H. Wylde .....	
Inspector of Fisheries for Nova Scotia.	

Alex. C. Anderson .....	
Inspector of Fisheries, British Columbia.	

Samuel Wilmot.....	Ottawa.
Supt. Fish Breeding Establishments, Dominion of Canada.	





